

study the area from the Carbon Country Club golf course to

for the preferred alignment.
• How likely it is that the pre-

time around the first of the year, pointed out Levanger.

will direct storm water east and west along 800

the colder winter temperatures at bay.

Emery County man accused of violating mining lease

By LAYNE MILLER
Progress editor

An Emery County man is being accused of removing a "significant portion" of the old historic railroad grade that extends from near Green River to the eastern base of Cedar Mountain.

Last Wednesday, Emery County commissioners were told that Steven Powell allegedly loaded up the piled rock and trucked it to Castle Dale, where it is being stockpiled for possible use as roadbase in local coal mines.

Emery public lands director Val Payne had just returned from visiting the site with a representatives from the state's

institutional trust administration when he reported to the commission.

Payne said Powell's company, Chimney Rock Resources, was instructed to conduct an archaeological clearance on the area before beginning any mining activity. Powell's permit reported specifically tells the man to stay away from the historic railroad grade during mining activities.

The archaeological report was then given to the state historic preservation office which must issue a clearance on the site before work begins. Payne indicated that clearance could not be found in the file and apparently had not been issued.

Powell was reportedly noti-

fied on Nov. 7 that he might be in violation of his mining lease.

SITLA archaeologist Kenny Wintch explained that he could not talk in detail about his visit to the site.

"I can only say we are trying to do what's right," said Wintch during a phone interview with the *Emery County Progress* last week. "There are a lot of issues involved here and we're investigating our options."

Wintch pointed out that the railroad grade, which was built in 1881, is one of the most significant historic sites in Emery County.

"It is a highly significant site. The Emery County representatives who were there believe it's an important historical as-

set to the community," said Wintch.

The grade was constructed in 1881 as the railroad approached Utah from the east. The exact path of the narrow gauge railroad had not been determined, so construction began on two different routes.

The railroad grade north along the Price River was started along with a route up the east side of the San Rafael Swell. It continues north along the base of Cedar Mountain.

The Emery County route would have gone south along State Road 10 and down Salina Canyon to California. More than \$200,000 was spent on constructing the grade, but no tracks were ever laid.

The railroad used a local labor force, including farmers with teams of horses, along with imported Chinese workers who were paid one-half the daily wage of local employees.

The historic grade is still visible over much of the route, as are the remains of rock houses and buildings used by the Chinese workers. Hollowed out logs used to water horses and other features remain near the area purportedly affected by the mining activity.

Emery County road supervisor Rex Funk told the commission that the mining activity was impacting the dirt road extending from Woodside to Castle Dale.

Funk confirmed that he had

authorized Powell to bring a few loads of rock into Castle Dale, but it appeared the road had been "pounded into a dust bowl."

Funk said the dust was so thick as officials traveled to the site, it almost caused a collision.

"We have concluded that the owner is probably in violation of his state mining lease and the state is going to take action," indicated Payne.

The mining activity is located on the eastern end of a large chunk of state trust land near Chimney Rock at the base of Cedar Mountain.

Criminal prosecution is being considered as a possible action against Powell, indicated Wintch.

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State property tax to climb it in 1997

climbing 12 percent, taxes only increased by slightly more than 6 percent.

But since 1989, there has been a continual upward trend in the tax increases. The years 1995 and 1996 would have exhibited a similar upward climb if cuts and the voting requirements to raise property taxes had not been implemented.

"Taxing entities have gradually come to realize that if they submit to the public's scrutiny for one night, nothing requires them to act according to taxpayer concerns or prevents them from implementing an unpopular, and perhaps unnecessary, property tax increase," noted Greg Fredde, the association's vice president.

A large portion of 1997's increase is due to property taxes on newly constructed buildings. Estimates from the governor's office of planning and budget